

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MANUEL VERA BETANCOURT,

Petitioner,

v.

JOHN ASHCROFT, Attorney General for
the United States, et al.

Respondents.

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) C.A. No. 04-11876-RCL
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NOTICE OF SUPPLEMENTAL AUTHORITY

Respondents in the above-captioned matter respectfully direct the Court's attention to the United States Supreme Court's recent decision in Clark v. Martinez, 543 U.S. ____ (2005), which is pertinent to the Court's consideration of Respondents' Motion to Dismiss. In Clark, the Supreme Court held that the six-month presumptive detention period, prescribed in Zadvydas v. Davis, 533 U.S. 679 (2001), also applies to inadmissible aliens, like the Petitioner in the instant case, who the Department of Homeland Security has ordered removed. A copy of the decision is attached to this notice.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Damian W. Wilmot
DAMIAN W. WILMOT
Assistant U.S. Attorney
John Joseph Moakley Federal Courthouse
One Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

Dated: January 19, 2005

CERTIFICATE OF SERVICE

I certify that on January 19, 2005, I caused a copy of the foregoing document to be served on Petitioner by first class mail, postage pre-paid to Manuel Vera Betancourt, #22-790-964, at Plymouth County Correctional Facility, ID No. 36779, Unit E3, Room 323, 26 Long Pond Road, Plymouth, MA 02360.

/s/ Damian W. Wilmot

DAMIAN W. WILMOT

Assistant U.S. Attorney